

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Allegations of corruption against Sri P. Yellamanda, Deputy Executive Engineer, Panchayat Raj, Suryapet Sub-Division, Nalgonda district, – Placed before the Tribunal for Disciplinary Proceedings- Inquiry held - Charge proved – Dismissal from service – Orders –Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O. Ms. No. 219

Dated: 29.07.2011
Read the following:-

1. Govt.Memo.No.10777/Vig.I/2005-11, PR&RD (Vig.I) Dept. dt.8.8.2007.
2. From TDP, Lr. Dis. No.S/13/2010, Dt.04-08-2010.
3. Govt.Memo.No.10777/Vig.I/2005-12, PR&RD(Vig.I) Dept.dt.12.11.2010.
4. Representation of Sri P. Yelamanda, Dy EE, PR, Suryapet Sub-Division, Nalgonda district, Dt. Nil.

>><<

O R D E R:

Whereas, discrete enquiries conducted by the appropriate authority, on the allegations relating to corruption against Sri P. Yellamanda, Deputy Executive Engineer, Panchayat Raj, Suryapet Sub-Division, Nalgonda district, revealed prima-facie a necessity to probe the matter in detail; and, Government entrusted the case to the Tribunal for Disciplinary Proceedings for conducting detailed and regular enquiry into the allegations, vide reference 1st read above.

2. Whereas the following charges are framed against Sri P. Yellamanda, Deputy Executive Engineer, Panchayat Raj;

CHARGE No.1:-

" that, Sri P.Yellamanda, while working as Deputy Executive Engineer Panchayat Raj, Suryapet Sub-Division, Nalgonda District actuated by corrupt motive and in abuse of your official position on 7-7-2005 at your office demanded and accepted an amount of Rs.5,000/- as illegal gratification from the complainant Sri N. Rama Kotaiah for showing an official favour of conducting check measurement of the work executed by the complainant in construction of building for "Anganwadi" Centre at Mamillagudem Village, Mothe Mandal, Nalgonda District and to forward the M.Book to the Executive Engineer (Panchayat Raj), Nalgonda and thereby you are guilty of misconduct within the meaning of Rule 3 of A.P.Civil Services (Conduct) Rules, 1964 r/w Rule 2(b) of the A.P.Civil Services(Disciplinary Proceedings Tribunal) Rules, 1989 framed under the A.P.Civil Services(Disciplinary Proceedings Tribunal) Act, 1960 as amended in 1993."

CHARGE No.2:-

" that, Sri P.Yellamanda, while working as Deputy Executive Engineer(PR), Suryapet Sub-Division, Nalgonda District has not submitted your Annual Property returns to the competent authority during your service from 15.3.1989 and thereby you contravened rule 9(7) of A.P.Civil Services(Conduct) Rules r/w Rule 2(b) of the A.P.Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989 framed under the A.P.Civil Services (Disciplinary Proceedings Tribunal) Act, 1960 as amended in 1993."

CHARGE No.3:-

" that, Sri P.Yellamanda, while working as Deputy Executive Engineer (PR), Suryapet Sub-Division, Nalgonda District acquired immovable property i.e., Plot No.88&97 Admeasuring 400 Sq.Yards in Sy.No.206,208 at Golaguda Nalgonda District and constructed a house and the same transaction was not intimated nor permission was

obtained from the Head Office and thereby you contravened rule 9(1) of A.P.Civil Services(Conduct) Rules 1964 r/w Rule 2(b) of the A.P.Civil Services(Disciplinary Proceedings Tribunal) Rules, 1989 framed under the A.P.Civil Services(Disciplinary Proceedings Tribunal) Act, 1960 as amended in 1993."

3. Whereas, the Tribunal for Disciplinary Proceedings furnished the Inquiry Report, holding that the **charge 1 is established and the charges 2 & 3 are not established** against the AO, Sri P. Yellamanda, Deputy Executive Engineer, Panchayat Raj and the charged officer guilty of the charge, vide reference 2nd read above; and, Government, after careful examination of the report of the Tribunal for Disciplinary Proceedings, communicated a copy of the Inquiry Report to the above said Charged Officer, viz., Sri P. Yellamanda, Deputy Executive Engineer, Panchayat Raj, Suryapet Sub-Division, Nalgonda district, and he was also directed therein to submit his representation, if any, on the enquiry report, vide reference 3rd read above;

4. Whereas, in response to the above, the Charged Officer, viz., Sri P. Yellamanda, Deputy Executive Engineer, Panchayat Raj, Suryapet Sub-Division, Nalgonda district, has represented that, there is no demand of any bribe amount by him from the complainant; Sri Babu Rao, Dy.Executive Engineer APRSCL, Nellore was no way concerned to the execution of work as he was neither submitted any authorization letter nor got any permission by the department; the tainted amount is deliberately planted in his pant hip pocket during his absence by complainant. The work was executed by complainant irregularly without any valid estimate, agreement, technical sanction, issuance of work order etc., the evidence of Sri Babu Rao, Dy.Executive Engineer APRSCL, Nellore that he recorded the measurements in the M-Book in November 2004 is absolutely false as he never worked as AEE in November 2004. Sri Babu Rao, Dy.Executive Engineer APRSCL, Nellore and Sri Ramakrishna Prasad, Draftsman Gr-III,O/o PR,PIU, Tungaturti Sub-division, Nalgonda District were politically influenced by complainant and through them he got prepared all the documents irregularly. As complainant executed the work irregularly the bill amount was not paid to him by the Department till to day evenafter the lapse of 5 years of the alleged trap against him. If really complainant executed the work as per the rules and regulations he might not have kept quite for 5 years to get his bill amount and the Department also might not have refused to pay his bill amount. He also stated that even prior to the alleged trap, the complainant also brought lot of political pressure on the charged officer to check measure the measurements, but refused to do so as the same is against to the rules and regulations. In that connection there was a quarrel and heated exchange of words between him and complainant. The charged officer also said that the ACB officials obtained a false complaint from the complainant to their dictation by giving assurance to complainant that they would see that the bill of complainant would be paid etc., vide reference 4th read above;

5. Whereas the explanation of the charged officer has been examined by the Government with reference to the orders issued in G.O. Ms. No.2 of G.A (Ser.C) Department, dated 4.1.1999 and not convinced with the said explanation of the charged officer, and after careful consideration of the facts and circumstances of the case, the Government have arrived at a provisional decision to impose the punishment of "dismissal from service" of Sri P. Yellamanda, Deputy Executive Engineer, Panchayat Raj, Suryapet Sub-Division, Nalgonda district.

6. Now therefore, in exercise of the powers conferred under clause (x) of the rule 9 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules 1991, Government hereby dismiss Sri P. Yellamanda Deputy Executive Engineer, Panchayat Raj, Suryapet Sub-Division, Nalgonda district from service with immediate effect.

7. Accordingly, the following notification shall be published in the extraordinary issue of the Andhra Pradesh Gazette, Dated 29.07.2011.

(PTO)

::2::

NOTIFICATION

In exercise of the powers conferred by clause (x) of rule 9 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, the Government of Andhra Pradesh hereby dismiss Sri P. Yellamanda Deputy Executive Engineer, Panchayat Raj, Suryapet Sub-Division, Nalgonda district from Government service with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.RAJIV SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT(PR)

To

Sri P. Yellamanda, Deputy Executive Engineer, Panchayat Raj,
Suryapet Sub-Division, Nalgonda district,

through the Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

(He is requested to serve the order and furnish the dated
acknowledgement immediately)

The Director of Printing Stationary and Stores Purchase, Hyderabad.

Copy to:

The Accountant General, Andhra Pradesh, Hyderabad.

The Secretary to VC, A.P. Vigilance Commission, Hyderabad.

(86305/VC.G1/05)

The Director General, Anti Corruption Bureau, Hyderabad.

(RC No.138/RCT-HND/05)

SF/SC

// FORWARDED::BY::ORDER //

SECTION OFFICER